

### **REMARKS**

It is respectfully requested that the above amendments be entered prior to examination of this application on the merits.

#### **Amendments**

The specification was amended at pages 1, 2, 13, 74, 75, 76, 77, 78, 118 and 119 to correct obvious/inadvertent errors.

As to the claims, Applicants note that newly presented Claims 41-50 properly refer to the L' and L" substituents as a "moiety" since these substituents are bonded to a linker and, hence, are not "compounds".

Newly presented Claim 41 recites a compound of the formula L'-X-L" which compound comprises 2 ligands joined by a linker wherein one of the ligands is a  $\beta$ -lactam antibiotic moiety selected from the group of 5 separate moieties depicted therein and the other is an optionally substituted glycopeptide antibiotic moiety or an aglycon derivative of an optionally substituted glycopeptide antibiotic moiety. Support for this amendment is found, for example, in the specification at, for example, from page 4, line 26, to page 7, line 10; from page 39, line 18, to page 47, line 17, as well as in Figures 9, 10, 14, 15 and 16. Each of these figures disclose a heterodimeric compound comprising a  $\beta$ -lactam antibiotic moiety and at least one ligand is an optionally substituted glycopeptide antibiotic moiety or an aglycon derivative of an optionally substituted glycopeptide antibiotic moiety.

In addition, the proviso in Claim 41 has been amended from that found in Claim 1 to refer to the carboxyl group of the vancomycin moiety rather than the term "[C]". As noted at page 34, line 5, of the specification, the term "[C]" as used relative to vancomycin refers to the carboxyl group on vancomycin.

Newly presented Claims 42-46 are supported by, for example, page 7, line 12, to page 13, line 1.

Newly presented Claims 47 and 48 are supported by, for example, page 31, lines 15-32.

Newly presented Claims 49-51 are supported, for example, by page 32 of the specification as well as by Figure 9 which illustrates attachment of the vancomycin through the sugar amino group; the non-sugar amino group; and the carboxyl group of vancomycin.

Newly presented Claim 52 is supported, for example, by Applicants' specification at from, for example, page 13, line 16, to page 14, line 3 and in originally presented Claim 5.

Newly presented Claims 53 and 54 are supported by, for example, page 9 and page 11 including first line of structures depicted therein.

Newly presented Claim 55 is supported, for example, by Applicants' specification on page 112, line 32, and page 115, line 16 and in originally presented Claims 8-14.

Newly presented Claim 56 is supported, for example, by Applicants' specification on page 112, lines 15-29 and in originally presented Claims 11-16.

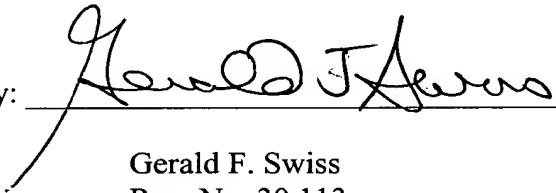
With regard to the above, these amendments are made solely to clarify what Applicants believe to be their invention, i.e., to particularly point out and distinctly claim the subject matter of the invention, and not to distinguish over the prior art. Thus, Applicants submit that neither the previous claims nor the presently presented claims are obvious over the prior art. Applicants reserve the right to file one or more continuation or divisional applications, as appropriate, directed to the subject matter of these claims.

Entry of these amendments is earnestly solicited.

Early examination of this application on its merits is earnestly solicited.

Respectfully submitted,

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